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## FACSIMILE TRANSMITTAL SHEET

TO: Examiner M. Mendoza  
Group 3761

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DATE: June 2, 2004

RE: U.S. Serial No. 09/731,316

NO. OF PAGES: 3  
(INCLUDING COVER)

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

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PATENT

Practitioner's Docket No. 0051.00

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Carlos Schuler et al.

Application No.: 09/731,316

Group No.: 3761

Filed: December 6, 2000

Examiner: M. Mendoza

For: SYSTEMS AND METHODS FOR TREATING PACKAGED POWDERS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES  
(37 C.F.R. § 1.191)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed December 2, 2003, finally rejecting claims 1-18, 21, 23-29, 35-39, 43-49, 61 and 62.

## 1. STATUS OF APPLICANT

This application is on behalf of other than a small entity.

## 2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 1.17(b), the fee for filing the Notice of Appeal is:

Notice of Appeal fee due \$330.00

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CERTIFICATION UNDER 37 C.F.R. ' 1.8(a) and 1.10\*  
(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

## MAILING

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37 C.F.R. § 1.8(a)

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(type or print name of person certifying)

\* Only the date of filing ( ' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" ( ' 1.10) or facsimile transmission ( ' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Notice of Appeal from the Primary Examiner to Board—page 1 of 2

**3. EXTENSION OF TERM**

The proceedings herein are for a patent application and the provisions of 37 C.F.R.1.136 apply.

Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for three months:

Fee \$950.00

If an additional extension of time is required, please consider this a petition therefore.

**4. TOTAL FEE DUE**

The total fee due is:

Notice of Appeal fee	\$330.00
Extension fee	\$950.00
<b>TOTAL FEE DUE</b>	<b>\$1,280.00</b>

**5. FEE PAYMENT**

Authorization is hereby made to charge the amount of \$1,280.00 to Deposit Account No. 500348. Charge any additional fees required by this paper or credit any overpayment in the manner authorized above. A duplicate of this transmittal is attached.

**6. FEE DEFICIENCY**

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 500348.

Date: 02 JUN 04

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Signature of Practitioner

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